

BEFORE THE INVESTIGATIVE PANEL OF THE  
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION

INQUIRY CONCERNING A  
JUDGE, NO. 00-211,  
HOWARD C. BERMAN

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CASE NO.: SC00-2491

**RESPONSE TO MOTION TO CLARIFY WHETHER JUDGES  
MAY PROVIDE “CHARACTER WITNESS” AFFIDAVITS  
WITHOUT THE NECESSITY OF SUBPOENA OR DEPOSITION**

Comes now the Judicial Qualifications Commission of the State of Florida, by and through its undersigned Special Counsel, and in response to the Motion to Clarify Whether Judges May Provide “Character Witness” Affidavits Without The Necessity of Subpoena or Deposition filed in this matter by Judge Howard C. Berman, states as follows:

1. The Judicial Qualifications Commission has no objection to active Judges providing “Character Witness” Affidavits without the necessity of taking deposition.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been delivered by U.S. Mail to: The Honorable James Jorgenson, Chair, Hearing Panel, Florida Judicial Qualifications Commission, Mount Vernon Square, 1110 Thomasville Road, Tallahassee, Florida 32303; Thomas C. MacDonald, Jr., Esquire, Cook, Bell & MacDonald Mediation Group, 100 N. Tampa Street, Suite 2100, Tampa, Florida 33602; Brooke Kennerly, Executive Director, Florida Judicial Qualifications Commission, Mount Vernon Square, 1110 Thomasville Road, Tallahassee, Florida 32303; John R. Beraneck, Esquire, Ausley & McMullen, 227 S. Calhoun Street, Tallahassee, Florida 32301; Sydney A. Stubbs, Esquire, Jones, Foster, Johnston & Stubbs, P.A., 505 S. Flagler Drive, Suite 1100, West Palm Beach, FL 33402-3475; Bettye J. King, Esquire, 625 North Flagler Drive, Suite 501, West Palm Beach, Florida 33481; and to Scott N. Richardson, Esquire, Atterbury, Goldberger and

Richardson, 250 Australian Avenue South, Suite 1400, West Palm Beach, Florida 33401-5015, this  
\_\_\_\_\_ day of August, 2001.

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